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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

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CARL J. KUNASEK
Chairman

JIM IRVIN

Commissioner

WILLIAM A. MUNDELL
Commissioner

DOCKETED BY

CLP

IN THE MATTER OF THE APPLICATION)
OF ARIZONA WATER COMPANY, FOR)
NOTICE OF CHANGES TO TARIFF)
NO. CM-257)

DOCKET NO. W-01445A-00-0440

DECISION NO. 62983ORDEROpen Meeting
October 25, 2000
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Arizona Water Company ("AWC") is an Arizona corporation engaged in the business of providing water utility service pursuant to Certificates of Convenience and Necessity granted by this Commission.

2. On June 23, 2000, AWC filed an application to discontinue its Apache Junction Coin Machine service. Tariff CM-257 was approved in Decision No. 58120, dated December 22, 1992.

3. The Apache Junction Coin Machine was installed in the 1960's. At that time, the area was considered remote and undeveloped.

4. The area where the Coin Machine is located has become urbanized with residential developments and a mental health facility.

5. The presence of the Coin Machine in the area is creating a nuisance to the neighborhood. AWC has received complaints resulting from the litter, loud noise, foul language, loud radios and engines running at night time, while customers wait to fill up water tanks. It has also created a safety hazard for the neighbors because the water tank trailers block the view of on-coming traffic when residents leave their driveways.

6. AWC provided the locations of two, more modern, alternative facilities where this type of service is available in the area.

1 7. The Commission suspended the application for a period of one hundred twenty (120)
2 days, through and including November 16, 2000, pursuant to Decision No. 62738, dated July 24, 2000.

3 8. As a result of the numerous customer letters and petitions to the Commission opposing
4 the closure of the Coin Machine service, the Commission conducted a public comment meeting on
5 August 28, 2000, at the Pinal County Complex Court Room in Apache Junction.

6 9. Customers opposed the closure of the Coin Machine service because it has been in
7 operation since the beginning of the early 1960's.

8 10. Customer s requested the Commission to consider that AWC continue the operation of
9 the Coin Machine Service until they, the customers have the means to extend service to their
10 properties or obtain assistance from other state or federal agencies.

11 11. Customers requested that the Coin Machine service be relocated to an undeveloped area
12 to minimize the noise, traffic and other safety hazards that was initially the cause for AWC to close
13 the Coin Machine service.

14 12. AWC is willing to relocated the Coin Machine service and has attempted to do so in the
15 past years; however, it was not able to coordinate the location with the County officials or City
16 Officials.

17 13. The Commission submitted a letter to the Honorable Douglas Coleman and Council
18 members of Apache Junction requesting their assistance in developing a new location that would be
19 acceptable to all parties.

20 14. The Commission offered to host a meeting with the City Officials, County Officials and
21 AWC management to resolve the relocations issue.

22 15. AWC was receptive, however, the Commission has not heard from the other parties.

23 16. Since the City and County have not been responsive to the Commission's appeal for their
24 assistance, Staff recommends that the Coin Machine service remain in operation under the City of
25 Apache Junctions's curfew hours.

26 17. Staff recommends that the Coin Machine service hours be kept at the existing facility
27 located at Ocotillo Drive in Apache Junction.

28 ...

1 18. The operation hours should be from 6:00 a.m. to 10:00 p.m., Monday through Sunday,
2 seven (7) days a week according to Apache Junction curfew hours.

3 19. Staff recommends the facility operation continue until one of the following conditions
4 is met:

- 5 A. Customers obtain the necessary funds to extend water mains to their properties, or
6 B. Until an alternate location can be agreed upon between the County, City and AWC,
7 or
8 C. Until the customers can obtain an alternate acceptable source of water.

9 CONCLUSIONS OF LAW

10 1. Arizona Water Company, is an Arizona public service corporation within the meaning
11 of Article XV, Section 2, of the Arizona Consitution.

12 2. The Commission has jurisdiction over the Company and of the subject matter in this
13 application.

14 3. The Commission, having reviewed the application and Staff's memorandum dated
15 October 13, 2000, concludes that the facility operation continue .

16 ORDER

17 THEREFORE, IT IS ORDERED that Arizona Water Company shall continue to operate the
18 Coin Machine service at the present location.

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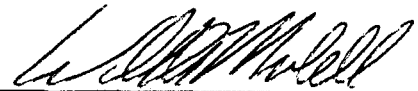
1 IT IS FURTHER ORDERED that Arizona Water Company shall continue to operate the Coin
2 Machine service seven (7) days a week, Monday through Sunday, from 6:00 a.m. to 10:00 p.m.
3 according to Apache Junction curfew hours and subject to the requirements of Finding of Fact No. 19,
4 Conditions 1, 2, and 3 or until further Order from the Commission.

5 IT IS FURTHER ORDERED that this Order shall become effective immediately

6
7 **BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

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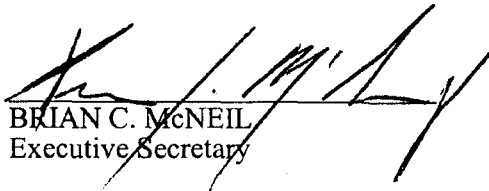
9 CHAIRMAN



COMMISSIONER

COMMISSIONER

10 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
11 Secretary of the Arizona Corporation Commission, have
12 hereunto, set my hand and caused the official seal of this
13 Commission to be affixed at the Capitol, in the City of
14 Phoenix, this 1st day of November, 2000.

15 
16 BRIAN C. McNEIL
17 Executive Secretary

18 DISSENT: _____

19 DRS:JAR:lh